

MESSAGE NO: 4015306 MESSAGE DATE: 01/15/2014

MESSAGE STATUS: Active CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐

SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 0274305, 1259303

MESSAGE #

(s):

CASE #(s): A-428-201

EFFECTIVE DATE: 12/25/2013 COURT CASE #: 10-00284

PERIOD OF REVIEW: 05/01/2008 TO 04/30/2009

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 01/15/2014

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for ball bearings and parts thereof from Germany produced and/or exported by SKF GmbH for the period 05/01/2008 through 04/30/2009 (A-428-201)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 3 below.

1. On 10/25/2013, the U.S. Court of International Trade issued a final decision in the case of SKF USA Inc. v. United States (court no. 10-00284). As a result of this decision, the injunction to which message 0274305 refers enjoining liquidation of entries which are subject to the antidumping duty order on ball bearings and parts thereof from Germany for the period 05/01/2008 through 04/30/2009 produced and/or exported by SKF GmbH dissolved on 12/25/2013.

2. For all shipments of ball bearings and parts thereof from Germany produced and/or exported by SKF GmbH (A-428-201-012) (See Note), and entered, or withdrawn from warehouse, for consumption during the period 05/01/2008 through 04/30/2009, assess an antidumping liability equal to 6.59 percent of the entered value.

Note: SKF GmbH was formerly known as SKF KUGELLAGERFABRIKEN GMBH, SKF GMBH, SKF SCHWEIN.

3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. The antidumping duty order on ball bearings and parts thereof from Germany was revoked, effective 09/15/2011 (see message 1259303 dated 09/16/2011).

4. There are no injunctions applicable to the entries covered by this instruction.

5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not

applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OI:YJC.)

8. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party